



City of Loma Linda Official Report

Karen Gaio Hansberger, Mayor
Floyd Petersen, Mayor pro tempore
Robert Christman, Councilmember
Stan Brauer, Councilmember
Robert Ziprick, Councilmember

COUNCIL AGENDA: September 14, 2004
TO: City Council
VIA: Dennis R. Halloway, City Manager
FROM: Pamela Byrnes-O'Camb, City Clerk
SUBJECT: Minutes of August 24, 2004

RECOMMENDATION

It is recommended that the City Council approve the Minutes of August 24, 2004.

City of Loma Linda

City Council Minutes

Regular Meeting of August 24, 2004

A regular meeting of the City Council was called to order by Mayor pro tempore Petersen at 5:35 p.m., Tuesday, August 24, 2004, in the Senior Center, 25581 Barton Road, Loma Linda, California.

Councilmen Present:	Mayor Karen Gaio Hansberger (Arrived 7:00 p.m.) Mayor pro tempore Petersen Robert H. Christman (Arrived 5:44 p.m.) Stan Brauer Robert Ziprick
Councilman Absent:	None
Others Present:	City Manager Dennis Halloway City Attorney Richard E. Holdaway

CC-2004-097 – Workshop with consultant pertaining to Development Impact Fee Study

Finance Director/Treasurer DeAnda introduced the item, stating that the study identified the capital improvement items necessary to maintain the current level of service through anticipated General Plan build out. The capital improvement items were listed in the Capital Facilities Plan. The capital improvement costs are then used to calculate development impact fees presented in the Nexus Report and summarized in Schedule 2.1. She added that Development Impact Fees relating to general facilities had not been updated since 1992; storm drain facilities since 1994 and water facilities since 2003. She then introduced Scott Thorpe, Senior Vice President of Revenue & Cost Specialists, LLC, who conducted the study.

Mr. Thorpe presented the report, stating that AB1600, codified in the California Government Code Sections 66000 through 66009, established legal and procedural parameters for the charging of Development Impact Fees; required documentation of projects to be financed by Development Impact Fees prior to their levy and collection; and required that the monies collected be committed within five years to a project of direct benefit to the development which paid the fees.

He went on to say that AB1600 required: 1) a delineation of the purpose of the fee; 2) determination of the use of the fee; 3) determination of the relationship between the use of the fee and the type of development paying the fee; 4) determination of the relationship between the need for the facility and the type of development project; and 5) determination of the relationship between the amount of the fee and the cost of the portion of the facility attributed to the specific development project.

Mr. Thorpe explained that each type of land use created a different demand on City services. Land uses outlined in the report consisted of detached residential, attached residential, mobile homes, assisted care units, commercial lodging, commercial offices, industrial, and medical uses.

[Councilman Christman arrived at 5:45 p.m.]

Mr. Thorpe reviewed various aspects of the report and noted that the purpose of the Development Impact Fee is to provide the current level of service to future developments. A question-and-answer period followed.

The City Council recessed at 6:45 p.m. and reconvened at 7:12 p.m. in the Council Chamber, with all members present.

Councilman Christman led the invocation and Pledge of Allegiance. No items were added or deleted.

Oral Reports/Public Participation

Sandra Stevenson, 26245 Avenida Requejo, Bryn Mawr, spoke concerning the train whistles and suggested that the Whittier Street crossing be eliminated via a block wall. Mayor Hansberger responded that members of the City Council and Staff have been working with Congressman Lewis and the City's lobbyist; there was legislation pending relating to the whistle or horn blowing to occur at the street at car level rather than at the train to reduce noise impact. Mayor pro tempore Petersen added that federal regulations require trains to have a horn; the State Public Utilities Commission requires the horns to be blown.

James Stocker, 26234 Mission Road, stated that the house that was moved from Orange Street to Mission Road was still on jacks and suggested it be secured to prevent vandalism or injury.

Wayne Isaef, 24988 Lawton Avenue, addressed the City Council relating to the Precise Plan of Design for the development at Whittier and First Streets, Tract 15422, stating that the berm and wall would impact the quality of life for the neighbors. Also, there was uncertainty concerning the boundary of the tract and whether the cacti, which were planted over 100 years ago, would be affected by the development. Councilman Ziprick responded that Staff and the Historical Commission were reviewing the situation to determine the boundaries of the development.

Cole Smith, Bryn Mawr, asked that the berm and wall configuration for Tract 15422 be reconsidered.

Fred Ramos, 26405 First Street, Bryn Mawr, spoke about the berm and wall as part of Tract 15422, as well as the train whistles.

Scheduled and Related Items

CC-2004-098 – Message from the Mayor relating to the West Nile Virus

Mayor Hansberger suggested precautionary measures to reduce the possibility of mosquito bites, noting that the West Nile Virus affected those who had preexisting medical conditions; the virus could also cause permanent neurological injury resulting in serious compromise in one's ability to carry out everyday functions. She also stated that the City was taking a pro-active roll in reducing mosquito habitat, such as improperly maintained swimming pools, noting that Code Enforcement and Public Works were assisting in that effort. She referred to the City's web site and Channel 3 for more information.

CC-2004-099 – Presentation to Michael Manning PCF/Firefighter in recognition of his service to the community

Mayor Hansberger called Mr. Manning forward and presented him with a plaque and pen in recognition of his nine years of service to the community. Director of Public Safety Crawford presented Mr. Manning with his badge encased. Mr. Manning acknowledged each member of the City Council.

CC-2004-100 – Proclamation – August 2004 National Immunization Awareness Month

Mayor Hansberger presented the proclamation to Susan Patane, who thanked the City Council for their support and emphasized that immunization is a lifetime occurrence to prevent disease.

CC-2004-101 – Presentation by Beverly Powell of Southern California Edison Company

Beverly Powell, Region Manager for Southern California Edison, distributed brochures and gave an oral overview of Southern California Edison's efforts to increase its capacity to serve by upgrading the Devers-Palo Verde Corridor, which traversed the City, noting that project completion was expected by 2009. She also addressed electromagnetic fields and provided additional information. Ms. Powell announced that Edison would be sponsoring an open house relating to the project at the Senior Center on September 17 from 4:00 p.m. to 8:00 p.m. for residents of Loma Linda, Grand Terrace, and Redlands. The project team would be present to answer questions and respond to concerns.

CC-2004-102 – Public Hearing – Development Impact Fees

- a. Approving the Master Facilities Plan (This is not a public hearing, but related to Item b).
- b. Council Bill #R-2004-40 – Establishing Development Impact Fees and repealing Resolutions 2301, 1842 and 1716

The Mayor opened the public hearing, noting that a workshop was held earlier and request had been made to continue the item to September 14. She then asked if anyone was present who could not attend the September 14 meeting.

Elizabeth Iskander, 2907 E. Chevy Chase Drive, Glendale, addressed the City Council relating to her proposed project at San Juan Drive and Barton Road and the effect of the proposed increase in Development Impact Fees on her project, noting that the street, water, sewer street lights were already available, the project would be providing recreation opportunities, and suggesting that consideration be given to treating in-fill projects differently than those developments having to install capital improvements.

No other public testimony was offered.

Motion by Ziprick, seconded by Christman and unanimously carried to continue the Master Facilities Plan and the Development Impact Fee public hearing to September 14.

CC-2004-103 – Public Hearing – Subdivision of 39.15 (formerly 37.59) acres into 248 (formerly 263) single-family numbered lots and 21 (formerly 8) lettered lots for parks and open space on the south side of Mission Road, east of Pepper Way and the Southern California Edison Easement, west of California Street (APN 0292-121-37, 40, 64, 78, 79, and 80)

- a. Adopt a Mitigated Negative Declaration
- b. Council Bill #R-2004-24 - General Plan Amendment 04-01 to change the General Plan designation from Mobile Home Subdivision to Mixed Use
- c. Council Bill #O-2004-04 (First Reading/Set the Second Reading for September 14) – Zone Change 04-01 from no zoning to Planned Community (PC)
- d. Tentative Tract Map 16730 to subdivide 39.15 acres into 248 single-family small lots with 21 lettered lots for parks and open space
- e. Precise Plan of Design (PPD) 04-03
- f. Council Bill #O-2004-05 (First Reading/Set the Second Reading for September 14) – Approving a Development Agreement between American Pacific Homes and the City to assist with future affordable housing needs throughout the City

The public hearing was opened. John Snell of American Pacific Homes, applicant, requested a continuance to September 14. No other testimony was offered.

Motion by Ziprick, seconded by Christman, and unanimously carried to continue the public hearing to September 14.

CC-2004-104 – Consent Calendar

Staff responded to questions relating to the 2002 CDBG funding allocation, the request from Brittany Place Homeowners Association to deed an easement to the City, and the request for a supplemental appropriation to replace the air conditioner for the Community Room.

Motion by Brauer, seconded by Ziprick and unanimously carried to approve the following items:

The Demands Register dated August 10, 2004 with commercial demands totaling \$678,690.10.

The Demands Register dated June 30, 2004 with commercial demands totaling \$148,297.93.

The Demands Register dated July 30, 2004 with commercial demands totaling \$55,221.95 and payroll demands totaling \$189,467.98.

The Demands Register dated June 30, 2004 with commercial demands totaling \$16,870.27.

The Demands Register dated August 24, 2004 with commercial demands totaling \$247,445.60 and payroll demands totaling \$171,886.66.

The Minutes of July 26, 2004 as presented.

The July 2004 Treasurer's Report for filing.

The July 2004 Department of Public Safety Stats Report for filing.

Award of contract for the Slurry Seal Phase IV Project to Doug Martin Contracting Co., Inc. of La Habra for \$100,083.60, a contingency allocation of 5 percent, and for construction inspection to Cal-West in an amount not to exceed \$14,790.

The Biennial review of the City's Conflict of Interest Code pursuant to the Political Reform Act to delete the position of Supervising Account Clerk and to add the position of Accounting Manager as an official who manages public investments; add the positions of Information Systems Director, Assistant Planner, Associate Planner, Senior Planner, and Members of the Historical Commission to the disclosure category of Designated Employee.

Ratification of the Mutual Release and Compromise Agreement relating to the sanitary sewer mainline serving Tract 16259, located south of Barton Road, west of Oakwood Drive.

Cancellation of the contract with At Risk Children Resource and Sexual Assault Response Team from the 2002 CDBG Fund (\$500 each).

An Agreement for professional services with Lilburn Associates for planning and environmental services.

The street improvements on Van Leuven Street as complete and recordation of the Notice of Completion – Nelson Paving, Contractor.

Amendment to the Agreement between Willdan and the City for Building Services.

Council Bill #R-2004-42.

Resolution No. 2348

A Resolution of the City Council of the City of Loma Linda, State of California, adopting the Measure I Five-Year Capital Improvement Program and Twenty-Year Transportation Plan

The closure of certain streets on Sunday, October 17 for the Annual Community Parade.

A supplemental appropriation of \$15,000 to replace the air conditioning unit for the Community Room.

The Agreement among the County of San Bernardino, City of Redlands, and City of Loma Linda for the installation of a permanent traffic signal at Barton Road and San Timoteo Canyon Road.

CC-2004-105 – Request from Brittany Place Homeowners Association to deed the power line easement east of the subject development to the City with the City providing the necessary documents for the transfer at no cost to the HOA

Councilman Brauer expressed concern that maintenance of the various aspects of the Edison Easement throughout the City may be maintained by different entities. City Manager Halloway responded that it was Staff's desire to have a continuous linear park; obtaining the subject easement would facilitate that effort. It would be the City's responsibility to landscape the area and maintain it. Councilman Brauer asked that the item be continued to allow further review.

Motion by Brauer, seconded by Ziprick and unanimously carried to continue the item to September 14.

Old Business

CC-2004-106 – Fifteen acres on the south side of Mission Road, east of Pepper Avenue and west of and including the Edison Easement

- a. Council Bill #O-2004-02 (Second Reading/Roll Call Vote) – Zone Change 03-06 to change the zoning from R-1 and R-3 to Planned Community
- b. Council Bill #O-2004-03 (Second Reading/Roll Call Vote) – Approving a Development Agreement between Glenn & Heidi Elssmann and the City to assist in providing affordable housing throughout the City

Motion by Christman, seconded by Petersen and unanimously to waive reading of Council Bill #O-2004-02 in its entirety; direct the Clerk to read by title only and adopt on roll call vote.

The Clerk read the title and called the roll with the following results:

Ayes:	Hansberger, Petersen, Christman, Brauer, Ziprick
Noes:	None
Abstain:	None
Absent:	None

Ordinance No. 624

An Ordinance of the City Council of the City of Loma Linda amending the official Zoning Map of the City of Loma Linda from R-1 and R-3 Zoning to Planned Community (PC) for that area on the south side of Mission Road, east of Pepper Avenue and west of and including the Edison Easement (Zone Change 03-06)

Motion by Petersen, seconded by Brauer and unanimously carried to waive reading of Council Bill #O-2004-03 in its entirety; direct the Clerk to read by title only and adopt on roll call vote.

The Clerk read the title and called the roll with the following results:

Ayes:	Hansberger, Petersen, Christman, Brauer, Ziprick
Noes:	None
Abstain:	None
Absent:	None

Ordinance No. 625

An Ordinance of the City Council of the City of Loma Linda approving and adopting the Development Agreement between Glenn & Heidi Elssmann and the City of Loma Linda

CC-2004-107 – Appointment of one member to the Trails Development Committee (Continued from July 26)

Motion by Ziprick, seconded by Petersen and unanimously carried to continue the item to September 14.

New Business

CC-2004-108 – Council Bill #R-2004-41 – Supporting the extension of Measure I (the ½ cent sales tax on gasoline for San Bernardino County) ballot measure on the November 2, 2004 ballot

Councilman Christman stated that support of Measure I was critical; that funds from Measure I had been used to significantly improve transportation-related facilities throughout San Bernardino County, such as the 210 Freeway from San Dimas to San Bernardino, widening of the I-10 Freeway and constructing the truck-climbing lane in Yucaipa. In addition, the City of Loma Linda directly benefited from Measure I funds by way of the Mountain View Avenue Overcrossing as well as street maintenance and repair projects.

Motion by Petersen, seconded by Ziprick and unanimously carried to adopt Council Bill #R-2004-41.

Resolution No. 2349

A Resolution of the City Council of the City of Loma Linda, State of California, supporting the passage of Measure I on the November 2, 2004 ballot

CC-2004-109 – Council Bill #R-2004-43 – Intent to establish an Underground Utilities District

Associate Engineer Peterson introduced the item, stating that the proposed resolution was an initial step in the establishment of an Underground Utilities District on Redlands Boulevard extending from the west City Limits to the east City Limits. The project would be conducted in phases, with the first phase encompassing the area between Anderson Street and Mountain View Avenue. Rule 20A Funds would be utilized to construct a vault in which the utilities would be located. Utilities would then be required to relocate their facilities to the vault at their expense.

City Manager Holloway noted that the entire project was estimated to cost \$2 million.

Motion by Petersen, seconded by Christman and unanimously carried to adopt Council Bill #R-2004-43.

Resolution No. 2350

A Resolution of the City Council of the City of Loma Linda, California, declaring its intention to establish Underground Utility District 2004-1 encompassing the north and south sides of Redlands Boulevard from the easterly to westerly city limits, as well as certain parcels adjacent to or along the approaches of Redlands Boulevard

Reports of Councilmen

Councilman Brauer commented on the West Nile Virus and urged citizens to take precautionary measures, but he also urged them to be proactive in maintaining the overall health of their bodies.

No reports were offered from Commissions/Committees or Officers.

The meeting adjourned at 8:23 p.m.

Approved at the meeting of

City Clerk